IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.43802 of 2008
SUMAN PANDEY
Versus
STATE OF BIHAR & ORS
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2 21.11.2008 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a police case under sections 384, 307/34 of Indian Penal Code and section 27 of Arms Act.

The submission is that in a village dispute, there is a case and counter case when considering the settlement and compromise arrived at between the parties amongst themselves in the counter case, the present informant and others were granted bail and on the basis which some of the co-accused in the present first information report has also been granted regular bail.

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Once the compromise has been considered for grant of benefits, the petitioner is also entitled to the benefit of the same unless there be extenuating circumstances to deny him the same.

The application for anticipatory bail is rejected. Any application for regular bail on behalf of the petitioner shall be considered by the court below preferably on the date that he surrenders in the back ground of bail to the informant and others in the counter case and to co-

accused in the present case on the basis of compromise without being prejudiced by the present order.

pkj **(Navin Sinha, J)**

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